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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Christopher Marrs

Serial No.: 10/645,809

Art Unit: 1654

Filed : August 21, 2003

Examiner: Michelle Flood

For : STABILIZED COMPOSITIONS CONTAINING AN OXYGEN-LABILE
ACTIVE AGENT AND A PLANT EXTRACT

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
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December 14, 2004

(Date of Deposit)

William E. McGowan

(Name of applicant, assignee, or Registered Representative)

(Signature)

December 14, 2004

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION

Dear Sir:

In response to the Office Action of November 16, 2004 requesting restriction between Groups I and II, Applicants hereby provisionally elect Group I (claims 1-10 and 12-20) with traverse. M.P.E.P. § 803 states that the two criteria for a proper requirement for restriction between patentably distinct inventions are 1) the inventions must be independent or distinct as claimed, and (2) there must be a serious burden on the Examiner if restriction is not required. Here, the Examiner has not shown that there would be a serious burden if restriction were not required. Accordingly, Applicants respectfully request the restriction requirement be withdrawn, and all pending claims be examined. Applicants await an action on the merits.

Serial No. 09/368,582

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

By: 
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Dated: December 14, 2004